

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

<b>IN RE UPSTREAM ADDICKS</b>	)	
<b>AND BARKER (TEXAS) FLOOD-</b>	)	<b>Master Docket No. 17-3000L</b>
<b>CONTROL RESERVOIRS</b>	)	
	)	
	)	<b>19-37 L</b>
<b>THIS DOCUMENT RELATES TO:</b>	)	
<b>BEATRIZ ECHEVERRIA, MARTHA</b>	)	
<b>SANTILLIAN, ANTHELMA</b>	)	
<b>GALLEGOS, OSCAR MONTALBAN,</b>	)	
<b>MARIA &amp; CARLOS RUIZ, AND</b>	)	
<b>BLANCA HERNANDEZ</b>	)	
	)	
<b>VS.</b>	)	
	)	
<b>THE UNITED STATES OF AMERICA</b>	)	

**PLAINTIFFS' SHORT FORM COMPLAINT**

Reference is made to the Master Amended Complaint for Upstream Plaintiffs (doc. 18) filed in the above-styled Sub-Master Docket on January 16, 2018 ("Master Complaint"). Plaintiffs incorporate by reference and adopt each allegation and cause of action, except any allegation pertaining to class allegations (including but not limited to paragraphs 92-104).<sup>1</sup>

**INFORMATION REGARDING PLAINTIFFS**

Plaintiffs allege that, in and around Tropical Storm Harvey in August/September 2017 ("Harvey"), water impounded in Barker Reservoir (up to an elevation of 101.5 feet) and in Addicks Reservoir (up to an elevation of 109.1 feet), resulted in real property (the "Real Property") and/or personal property (the "Personal Property") belonging to Plaintiffs being flooded by the impounded

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<sup>1</sup> At this time, Plaintiffs do not seek class treatment and do not opt into any class related to the Master Complaint. Unless and until presented with notice of class certification, at which time Plaintiffs will evaluate and determine whether to opt into such certified class, Plaintiffs take no position on class certification.

water (collectively, the “Government Action”). The allegations are more fully set forth in the Master Complaint.

1. Name of Plaintiffs: Beatriz Echeverria, Martha Santillian, Anthelma Gallegos, Oscar Montalban, Maria & Carlos Ruiz, and Blanca Hernandez.
2. Location by address of Plaintiffs property subject to Plaintiffs allegations of a Fifth Amendment taking without just compensation as a result of Addicks/Barker reservoir releases:

<b>Plaintiff's Name</b>	<b>Plaintiff's Address</b>	<b>Tax Number</b>	<b>Property Interest</b>	<b>Manner of Alleged Taking</b>	<b>Type of Property Taken</b>
Beatriz Echeverria	4211 Clay Hill Dr. Apt. 1607 Houston, TX 77084	115-874-001-0003	Rent	Permanent	Personal Property
Martha Santillian	4211 Clay Hill Dr. Apt. 1206 Houston, TX 77084	115-874-001-0003	Rent	Permanent	Personal Property
Anthelma Gallegos	4211 Clay Hill Dr. Apt. 901 Houston, TX 77084	115-874-001-0003	Rent	Permanent	Personal Property
Oscar Montalban	1906 Wingleaf Dr. Houston, TX 77084	111-372-000-0021	Rent	Permanent	Personal Property
Maria & Carlos Ruiz	13534 Harpers Bridge Dr. Houston, TX 77041	115-487-002-0053	Own	Permanent and Temporary	Personal and Real Property
Blanca Hernandez	5726 Calm Ct. Houston, TX 77084	125-174-002-0056	Own	Permanent and Temporary	Personal and Real Property

3. If Plaintiffs held Real Property at more than one location, Plaintiffs identify the location of such other addresses as follows: N/A

4. At the time of the Government Action, please state Plaintiffs' property interest in each of the Real Properties listed in response to Questions 2 and 3 (e.g. Own, Rent, Leasehold, or other):

<b>Plaintiff's Name</b>	<b>Property Interest</b>
Beatriz Echeverria	Rent
Martha Santillan	Rent
Anthelma Gallegos	Rent
Oscar Montalban	Rent
Maria & Carlos Ruiz	Own
Blanca Hernandez	Own

5. The location by address of Plaintiffs' Personal Property subject to Plaintiffs' allegation of a Fifth Amendment Taking without just compensation is as follows:

<b>Plaintiff's Name</b>	<b>Plaintiff's Address</b>
Beatriz Echeverria	4211 Clay Hill Dr. Apt. 1607 Houston, TX 77084
Martha Santillan	4211 Clay Hill Dr. Apt. 1206 Houston, TX 77084
Anthelma Gallegos	4211 Clay Hill Dr. Apt. 901 Houston, TX 77084
Oscar Montalban	1906 Wingleaf Dr. Houston, TX 77084
Maria & Carlos Ruiz	13534 Harpers Bridge Dr. Houston, TX 77041
Blanca Hernandez	5726 Calm Ct. Houston, TX 77084

6. If Plaintiffs held Personal Property at more than one location, Plaintiffs identify the location of such other addresses as follows: **N/A**
7. Check all of the following boxes if Plaintiffs assert the same Causes of Action set forth in the Causes of Action section of the Master Complaint. If Plaintiffs elect to assert some, but not all, of the Causes of Action set forth in the Causes of Action section of the Master Complaint, check the boxes that Plaintiffs intend to assert below:

☒ Count I – Temporary Taking of a Flowage Easement without Just Compensation in Violation of the Fifth Amendment.

- ☒ Count II – Temporary Taking of Other Property Interests without Just Compensation in Violation of the Fifth Amendment.
- ☒ Count III – Permanent Taking of Damaged and Destroyed Property without Just Compensation in Violation of the Fifth Amendment.
- ☒ Count IV – Permanent Taking of a Flowage Easement without Just Compensation in Violation of the Fifth Amendment.

Respectfully submitted,

**The Law Offices of Manuel Solis**

/s/ Manuel Solis

**Manuel Solis**

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Oscar Montalban, Maria & Carlos  
Ruiz, and Blanca Hernandez**